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7 BAY AREA PAINTERS AND TAPERS
8 PENSION FUND, et al.
9

10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12

13 BAY AREA PAINTERS AND TAPERS
14 PENSION FUND, BAY AREA PAINTERS
15 AND TAPERS HEALTH FUND, BAY AREA
16 PAINTERS AND TAPERS JOINT
17 APPRENTICESHIP TRAINING FUNDS,
18 AND THEIR JOINT BOARDS OF
19 TRUSTEES; LES PROTEAU AND CHARLES
20 DEL MONTE, AS TRUSTEES; AND
21 DISTRICT COUNCIL 16 OF THE
22 INTERNATIONAL UNION OF PAINTERS
23 AND ALLIED TRADES;

Case No.: C07-3344 PJH

**PROOF OF SERVICE
RE ORDER DENYING MOTION TO
RELATE CASES**

19 Plaintiffs,

20 v.

21 CRYSTAL NICOLE THOMAS, individually
22 and dba CALIFORNIA PROFESSIONAL
23 PAINTING,

23 Defendants.
24

25 I, the undersigned, declare:

26 I am a citizen of the United States and am employed in the County of San Francisco, State
27 of California. I am over the age of eighteen and not a party to this action. My business address is
28

-1-
PROOF OF SERVICE RE ORDER
Case No.: C07-3344 PJH

1 120 Howard Street, Suite 520, San Francisco, California 94105.

2 On July 12, 2007, I served the following document(s):

3 **ORDER DENYING MOTION TO RELATE CASES**

4 on the interested parties in said action by placing a true and exact copy of each document in a
5 sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San
6 Francisco, California, addressed as follows:
7

8 **Crystal Nicole Thomas**
9 **California Professional Painting**
10 **9 Lois Lane**
11 **San Francisco, CA 94134**

California Professional Painting
9 Lois Lane
San Francisco, CA 94134

12 I declare under penalty of perjury that the foregoing is true and correct and that this
13 declaration was executed on this 12th day of July, 2007, at San Francisco, California.
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15 /s/
16 Vanessa de Fábrega
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BAY AREA PAINTERS AND TAPERS
PENSION FUND, et al.

No. C 06-04626 WHA

Plaintiffs,

v.

**ORDER DENYING MOTION TO
RELATE CASES**

CRYSTAL NICOLE THOMAS, individually
and dba CALIFORNIA PROFESSIONAL
PAINTING,

Defendants.

Now pending is a motion to relate the above-entitled action to Case No. C 07-3344 PJH. Civil Local Rule 3-12(a) explains that actions are related when: (1) the "actions concern substantially the same parties, property, transaction or event," and (2) "[i]t appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges."

While Case No. C 06-40626 WHA was pending before the undersigned, it was immediately dismissed. No work was done on that case and the undersigned never knew it was on the docket. It is true that a case can be related to another that "is or was pending in this District." Civ. Local R. 3-12(b). But in this instance, no work was done on the lowest-numbered case and because of that it is not related. Relating these cases to the undersigned would in no way avoid a duplication of labor and expense or lead to conflicting results. The motion to relate cases is **DENIED**.

Dated: July 12, 2007



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE